

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
JANUARY 20, 2015**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Alan D. Gardner at 4:00 p.m. on January 20, 2015, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman Alan D. Gardner, Commissioner Victor Iverson, Commissioner Zachary Renstrom, Deputy County Attorney Eric Clarke, and Deputy County Clerk Nicholle M. Felshaw.

County Administrator Dean Cox was excused from the meeting, as he was out of town on County business

Commissioner Renstrom led the Pledge of Allegiance.

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for January 7, 2015, through January 20, 2015
- Consideration of Regular Commission Meeting Minutes of December 2, 2014
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement: Erwin and Cleone Davenport, A/N 0015449; James and Freda Clark, A/N 0231681; Clifton and Denise Call, P/N W-1KS-4-6; Paul and Heather Geertsens, P/N SG-MPH-3-30; Robert Unbedacht, P/N SG-SUB-12-923
- Consideration of Ratification of 2014 Veterans Personal Property Exemptions (attached)

MOTION: Motion by Commissioner Renstrom to Approve the Consent Agenda as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

CONSIDERATION OF PURCHASE REQUESTS: MARK BLANCH CONVENTION AND TOURISM OFFICE (5), RED ROCK GOLF TRAIL (1), DIXIE CENTER (3), SHERIFF'S OFFICE (2)

Convention and Tourism Office, advertising in Denver.....	(\$76,000.00)
Convention and Tourism Office, advertising in Utah.....	(\$59,789.00)
Convention and Tourism Office, billboard advertising.....	(\$50,000.00)
Convention and Tourism Office, internet marketing (visitstgeorge.com)...	(\$36,413.70)
Convention and Tourism Office, internet marketing (webhosting).....	(\$22,140.00)
Convention and Tourism Office, Red Rock Golf Trail advertising.....	(\$10,000.00)
Dixie Center, auto scrubber and whisker kit.....	(\$17,962.20)
Dixie Center, kitchen equipment.....	(\$38,152.67)
Dixie Center, phase II roofing.....	(\$102,000.00)
Sheriff's Office, gas tilting skillet.....	(\$13,822.79)
Sheriff's Office, refund of unused funds from grant.....	(\$32,901.58)

Washington County Purchasing Agent Mark Blanch stated the above items have all been budgeted for this year.

Mr. Blanch also clarified that the Purchase Request for the 2015 cable TV advertising in Denver for the Convention and Tourism Office runs January through November, excepting July. The 2015 cable TV advertising in Utah runs February through November, excepting January and July.

Commissioner Iverson mentioned the Convention and Tourism Office advertising is funded by revenue from the transient room tax which is designated for very specific uses.

Commissioner Gardner stated the transient room tax is paid by tourists and funds can only be used for certain expenditures. The Convention and Tourism Office is able to utilize these funds for advertising and was commended for the work they do. It was reiterated that property tax revenue is not utilized for advertising.

Roxie Sherwin, director of the St. George Convention & Tourism Office, added that the 4.25% transient room tax, which comes from hotel bed tax, generates approximately five million dollars (\$5 million) annually. From that, there is approximately two point five million dollars (\$2.5 million) budgeted for marketing. Ms. Sherwin also explained that a portion of the Denver advertising money is for a match grant from the State of Utah. The grant is a fifty-fifty (50/50) split, and the funds must be spent on out-of-state advertising. The reason for advertising heavily in Denver is due to the high numbers of tourists that visit the County from the Greater Denver area. Also, there is a direct airplane flight from St. George to Denver and United Airlines will be adding a second daily flight in March. California was mentioned as another great market for St. George as well as Canada.

Mr. Blanch also clarified the Purchase Request for the Phase II Roofing Project at the Dixie Center includes the Administration Office, the North Concourse, and upper Museum.

Mr. Blanch stated the Sheriff's Office received a grant for seventy five thousand dollars (\$75,000.00) and approximately forty two thousand one hundred dollars (\$42,100.00) was utilized. The grant is very specific to how the funds are used and now that 2014 has ended, the unused balance of the grant must be refunded.

MOTION: Motion by Commissioner Iverson to Approve the Purchase Requests, as presented. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

DISCUSSION ON NEW UTAH PERMANENT COMMUNITY IMPACT FUND BOARD POLICIES: GARY ZABRISKIE

Gary Zabriskie, Director of Community and Economic Development at the Five County Association of Governments discussed the Community Impact Board (CIB), which was established by the State of Utah approximately twenty five (25) years ago to oversee the expenditure of State revenue from mineral leases of federally managed lands. He gave an overview of the CIB and how funds are distributed and how local governments can apply for those funds.

Mr. Zabriskie also wanted to make the Commission aware that the interest rate on loans from the CIB has been one point five percent (1.5%) for the last two (2) years and has increased that to two point five percent (2.5%).

Mr. Zabriskie mentioned that CIB funding has made a difference in our Region. The County has used CIB funding in the past as well as Santa Clara that recently utilized CIB funding for their street and water project. The town of Virgin is currently restoring their old community center behind the town office with CIB Funding. If the County is ready on any particular project Mr. Zabriskie will work with the County to put together a good application so when it is submitted to the Board it is well prepared and can receive the available funding. He reiterated that it is not a revolving loan, rather a bond, where funds are paid back, and those funds can then be reissued elsewhere.

Those interested were invited to a CIB tutorial titled "CIB 101" held in March at the Winchester Hills Fire Station.

Chairman Gardner felt it was important to reemphasize that the CIB money comes from mineral lease and royalties of twelve and a half percent (12.5%) is split between the Federal Government and the State. A portion of what the State receives comes into the CIB and is spread across the State.

DISCUSSION OF COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDs): BRYAN THIRIOT

Executive Director for the Five County Association of Government (FCAOG), Bryan Thiriot mentioned that the FCAOG is comprised of Beaver, Garfield, Kane, Iron, and Washington County. The association was created by each county coming together in 1972. Part of Mr. Thiriot's role is to work with the Economic Development District which is comprised of all five (5) counties and originated back in 1979 with the Economic Development Administration and Federal Government.

Every five (5) years the Comprehensive Economic Development Strategy document, compiled by the counties, is reviewed to determine if economic goals are being accomplished. Mr. Thiriot purpose in attending this meeting was to ascertain from the County Commission what the top current economic issues are for Washington County.

Chairman Gardner mentioned that water is always a concern as well as the education that Dixie State and Dixie Applied Technology College (DXATC) offers. The DXATC is ranked two (2) on the State Building Board for a new building. That is a real crucial area ensuring the educated work force needed for the future, is available.

Commissioner Iverson agreed that this seems to be another low water year and as far as this year, the Applied Technology Building is critical. Degrees and technical training benefit the workforce and allow individuals to be qualified for higher paying jobs.

Commissioner Renstrom added that we need to protect our quality of life in this area. People move to this area because of what it offers and it's important to keep a great community.

Mr. Thiriot thanked the Commissioners for their input.

CONSIDERATION OF RESOLUTION NO. R-2015-1878, A RESOLUTION TO ADOPT AND APPROVE THE WASHINGTON COUNTY - NRCS SHEM DAM REHABILITATION - 2012 EWP AGREEMENT TO RELIEVE HAZARDS AND DAMAGES CREATED BY THE FLOOD IN WASHINGTON COUNTY, UTAH

Public Works Director Ron Whitehead stated that this project has been awarded to Progressive Contracting (PCI) and will take place on the Shivwits Reservation, providing reconstruction work on the Shem Dam, also known as Windsor Bridge, to repair damage from a 2012 flood. Previously, the Shem Dam was mainly used as an irrigation diversion structure that allowed water to flow out of the Santa Clara River and into an irrigation canal that ran into Ivins Reservoir. The water is now piped and the facility is no longer being used as a diversion structure. This will be funded by Natural Resources Conservation Service (NRCS) except for the twenty five percent (25%) match.

MOTION: Motion by Commissioner Renstrom to Approve Resolution No. R-2015-1878, a Resolution to Adopt and Approve the Washington County – NRCS Shem Dam Rehabilitation – 2012 EWP Agreement to Relieve Hazards and Damages Created by the Flood in Washington County, Utah. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1879, A RESOLUTION REQUESTING THAT THE UNITED STATES FOREST SERVICE IMMEDIATELY CEASE ANY ACTION TO LIMIT GRAZING ON THE DIXIE NATIONAL FOREST AND DEMANDING THE UNITED STATES FOREST SERVICE COORDINATE WITH WASHINGTON COUNTY IN ANY PROJECTS THAT AFFECT GRAZING IN WASHINGTON COUNTY

Joseph Rechsteiner, District Ranger from the Pine Valley Ranger District, attended the meeting at the invitation from the County Commission to address a (3) Forest Grazing Assessment. He read the attached statement regarding the three (3) Forest Grazing Assessment.

Commissioner Iverson raised concerns over the collection of data and especially over the Forest Service basing the assessment on data from outside groups with their own agenda—particularly the elimination of grazing. He also questioned whether the Forest Service has violated the rules of Federal Advisory Committee Act (FACA). He stated that the Forest Service needs to reassess and come clean with the counties. If the Forest Service wants to move forward on a discussion and a process, the Commission would be open but wants to ensure things have not already been put into place such as decisions, data, and science being entered into public record without the County having the chance to be involved.

Mr. Rechsteiner responded that the Forest Service has heard the concern from other counties and ranching community and is willing to take other data, as well as having their own specialists gathering data and doing annual monitoring for range conditions and long-term trend type data. This isn't necessarily an effort to end grazing but maybe change the way grazing is done, perhaps with different rotations and rest strategies.

Chairman Gardner stated his grave concerns about grazing being eliminated or reduced. He questioned whether fully following the current grazing plan would meet the forest's needs. He and County Consultant Cornell Christensen also asked about the status of a freedom of Information Act (FOIA) request from the County in September regarding the current grazing plan's implementation that had not yet been answered.

Commissioner Renstrom stated that meetings between government officials have taken place concerning this subject and understands data is “king.” Commissioner Renstrom voiced concern the deck has been negatively stacked before a chance is provided to sit at the table and talk. Through discussions on the government level along with ranchers, it is the consensus that the land is loved and valued and should be protected. Commissioner Renstrom expressed that this is where we reside but some of the people pushing the agenda do not reside here, thus do not understand the goals.

MOTION: Motion by Commissioner Iverson to Approve Resolution No. R-2015-1879, a Resolution Requesting that the United States Forest Service Immediately Cease any Action to Limit Grazing on the Dixie National Forest and Demanding the United States Forest Service Coordinate with Washington County in Any Projects that Affect Grazing in the Washington County and the Letter to be Copied to the Congressional Delegation. Motions seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1880, A RESOLUTION APPROVING THE 2015 COOPERATIVE AGREEMENT BETWEEN WASHINGTON COUNTY AND THE UTAH DIVISION OF WILDLIFE RESOURCES

Habitat Conservation Plan Administrator Robert Sandberg explained the Cooperative Agreement with the Division of Wildlife Resources (DWR) is the umbrella to the three (3) scopes of work and funds provided to the DWR to complete the commitment the County made with the Habitat Conservation Plan (HCP).

The first (1st) scope of work is to assist the DWR in bi-annual monitoring of the tortoise on the Reserve and changed from eighty thousand dollars (\$80,000.00) the past few years to ninety seven thousand three hundred dollars (\$97,300.00) this year, which covers salary and benefit increases that the DWR incurs. The DWR contributes money and full-time biologists that coordinate all tortoise activities in Washington County and also hire seasonal help for biannual monitoring of the tortoise to determine trends and what the population is doing. A report is compiled on the off years with information collected the previous year and presented to the Habitat Advisory Committee of what their monitoring efforts show.

The second (2nd) scope of work is the Southwest Willow Flycatcher Nest inventory and survey to increase knowledge and understanding of what can be done to help fulfill our obligation under the HCP to spend money on other threatened or endangered species in the County.

The third (3rd) scope is the Systematic Clearances which is a back-up in case the HCP cannot get to all clearances to assist property owners in the County, at which point funding can be given to the DWR to provide personnel to meet the commitments.

MOTION: Motion by Commissioner Renstrom to Approve Resolution No. R-2015-1880, a Resolution Approving the 2015 Cooperative Agreement Between Washington County and the Utah Division of Wildlife Resources. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

COMMISSIONERS' REPORT

Commissioner Renstrom expressed that although he has only been a Commissioner for two (2) weeks he has been amazed with how much the County employees care about their jobs and also what a neat experience it is to see how much they care about this County. Commissioner Renstrom also appreciates being welcomed to the County.

PUBLIC WORKS OR ROAD BUSINESS

Mr. Whitehead asked the public to be careful when traveling to Gunlock during the Shem Dam project. There will be several heavy equipment trucks entering and exiting the highway and caution should be taken on the Gunlock Road to avoid accidents.

Also, the road crew is still working on flood repairs from storms back in September and there is significant damage on Eardley Ranch Road, also known as Lytle Ranch Road. A single lane is open for travel but a reminder to the public to travel slowly on those dirt roads due to areas being washed out and road crews working.

COUNTY DEVELOPMENT AND PLANNING BUSINESS/SCOTT MESSEL

Review of Items from the January 13, 2015, Planning Commission:

1. **CONDITIONAL USE.** Request for extension of the conditional use for an existing gravel pit located east of Hwy 91 in Section 2, Township 43 South, Range 18 West, SLB&M on State Trust Lands. Zoned OSC-20 (Open Space Conservation 20 acre minimum lot size). The applicant is Kay Jean Mathews-Hale/Red Rock Warriors Rock, Inc.
2. **PRELIMINARY PLAT.** Review of request to subdivide Parcel CB-8-NW; which is Lot 8 of Chadburn Subdivision into 2 approximately 1 acre lots. The subdivision is located at approximately 43 North Main Street (SR-18) in Veyo. The public hearing was held on October 14, 2014 in the regularly scheduled Planning Commission meeting. Zoned C-3 (General Commercial). The applicant is Christine Stubbs.

3. FINAL PLAT. Review of final plat for Chadburn Subdivision Amended Plat (Affects Lot 8 Only). The subdivision is located at approximately 43 North Main Street (SR-18) in Veyo. Zoned C-3 (General Commercial). The applicant is Christine Stubbs.
4. FINAL PLAT. Review of final plat for Grassy Meadows Sky Ranch Phase 6A, which consists of 3 lots on approximately 6.3 acres. Located north of 4620 South and east of 1200 West near Hurricane. Zoned RA-1 (Residential Agricultural 1 acre minimum lot size). The applicant is Fernwood Sky Ranch Phase 6, LLC./Ried Pope.

Washington County Planner Scott Messel mentioned that the Preliminary Plat was approved at the Planning Commission subject to conditions of a water hook-up connection, thus the Final Plat for that subdivision was tabled.

MOTION: Motion by Commissioner Iverson Approving the Final Plat for Grassy Meadows Sky Ranch Phase 6A. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

There being nothing further to come before the Commission, the meeting was adjourned at 5:01 p.m.

NICHOLLE M. FELSHAW
DEPUTY CLERK

ALAN D. GARDNER
CHAIRMAN